

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

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**ANTHONY R. LESCH,  
Class Representative**

VS.

**CASE NUMBER: 3:09-cv-449  
(GTS/DEP)**

**THOMAS J. McAVOY,  
United States District Judge**

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that Plaintiff's Petition is *sua sponte* DISMISSED for failure to state a claim and frivolousness. This action is hereby closed.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 1<sup>st</sup> day of July, 2009.

DATED: July 1, 2009

  
Clerk of Court

s/  
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Melissa Ennis  
Deputy Clerk